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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

TONY LEAMAN,

Plaintiff,

vs.

COREY POTTER, in personam; the
F/V KNOT E Z, Official Number 270361,
her engines, machinery, appurtenances, and
cargo, in rem,

Defendants.

No. 3:24-cv-00103-HRH

ORDER

Case Status

Multiple marine contract cases have been filed in this court against Corey Potter.¹ The -142 and -143 cases are presently before Magistrate Judge Reardon on consent of the parties. The -270, -009, -010, and -103 cases are all currently assigned to Senior Judge Holland. Irrespective of whether it might be appropriate to consolidate all or some of the Potter cases, the court deems all six Potter cases currently assigned to Magistrate Judge Reardon and Senior Judge Holland to be related for purposes of Local Civil Rule 3.1(d)(2).

¹Case No. 3:23-cv-0142-KFR, Sanders v. Potter; Case No. 3:23-cv-00143-KFR, Martinsen v. Potter; Case No. 3:23-cv-0270-HRH, Heckert v. Potter; Case No. 3:24-cv-0009-HRH, Gilreath-Johnson v. Potter; Case No. 3:24-cv-0010-HRH, Albee v. Potter; Case No. 3:24-cv-0103-HRH, Leaman v. Potter; Case No. 3:24-cv-00037-SLG Gilreath-Johnson v. Potter, and Case No. 3:24-cv-00101-SLG-MMS, Pierce Ford Gilreath-Johnson v. Guardian Angel, LLC.

The Potter cases are in various stages of development. The -142 case is scheduled for a final pretrial conference on December 6, 2024.² Case -143 is before Magistrate Judge Reardon by consent.³ The status of the -143 case is uncertain, a Rule 26(f) report being past due as of September 20, 2024.⁴ The -270 case is subject to a 90-day stipulated continuance. Dispositive motions are due on or before January 31, 2025.⁵ A substitution of counsel for Mr. Potter has been effected in the -270 case: Carey M.E. Gephart and Markus B.G. Oberg of the Washington state firm of Le Gros Buchanan & Paul have been substituted for Mr. Barcott.⁶ In the -009 case, plaintiff requested a trial setting conference;⁷ and in response the court called upon the parties to certify the -009 case ready for trial.⁸ An identical certification order was entered by the court in the -010 and -103 cases.⁹ Mr. Barcott has moved for leave to withdraw as counsel for Mr. Potter in the -009, -010, and -103 cases.¹⁰

²Docket No. 29 in Case No. 3:23-cv-0142-KFR.

³Docket No. 12 in Case No. 3:23-cv-0143-KFR.

⁴Docket No. 27 in Case No. 3:23-cv-0143-KFR.

⁵Docket No. 24 in Case No. 3:23-cv-0270-HRH.

⁶Docket No. 19 in Case No. 3:23-cv-0270-HRH.

⁷Docket No. 26 in Case No. 3:24-cv-0009-HRH.

⁸Docket No. 27 in Case No. 3:24-cv-0009-HRH.

⁹Docket No. 27 in Case No. 3:24-cv-0010-HRH, and Docket No. 15 in Case No. 3:24-cv-0103-HRH.

¹⁰Docket No. 28 in Case No. 3:24-cv-0009-HRH, Docket No. 28 in Case No. 3:24-cv-0010-HRH, and Docket No. 16 in Case No. 3:24-cv-0103-HRH.

The -037 and -101 cases are both before Chief Judge Gleason. The -037 case is before Chief Judge Gleason as a consequence of a party's declination of consent to reassignment to a magistrate judge.

Especially in light of the fact that this court has only one active district judge, and in light of the fact that Senior Judge Holland is no longer trying cases, the court believes that it would be to the considerable advantage of the parties to have the six Potter cases currently before Senior Judge Holland and Magistrate Judge Reardon before a single judicial officer. Reassignment would be consistent with the court's policy that related cases be reassigned to the judge currently responsible for the oldest of the related cases. The older of the Potter cases currently before Magistrate Judge Reardon, the -142 and -143 cases, are currently before Magistrate Judge Reardon by consent.¹¹ Magistrate Judge Reardon is willing to assume full responsibility for the four Potter cases currently assigned to Senior Judge Holland.

In light of the uncertain posture of some of the Potter cases – especially the -270, -009, -010, and -103 cases – the court proposes the reassignment of Senior Judge Holland's cases to Magistrate Judge Reardon. Concurrent herewith, the court is entering the standard order entitled "Order re Intent to Reassign to a United States Magistrate Judge and Declination of Consent Form" in each of:

¹¹Docket No. 11 in Case No. 3:24-cv-0142-KFR, and Docket No. 12 in Case No. 3:24-cv-0143-KFR.

Case No. 3:23-cv-0270-HRH, Heckert v. Potter;

Case No. 3:24-cv-0009-HRH, Gilreath-Johnson v. Potter;

Case No. 3:24-cv-0010-HRH, Albee v. Potter; and

Case No. 3:24-cv-0103-HRH, Leaman v. Potter.

DATED at Anchorage, Alaska, this 7th day of October, 2024.

/s/ H. Russel Holland
United States District Judge